

NOT FOR CITATION

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAMES CATO, JR.,) No. C 08-0052 JF (PR)
Petitioner,) JUDGMENT
vs.)
W.J. SULLIVAN, Warden,)
Respondent.)

The Court has dismissed the instant pro se habeas petition as a second or successive petition challenging the same conviction and sentence as Petitioner's earlier petition in case no. C 99-21216 JF (PR). See 28 U.S.C. § 2244(b). A judgment of dismissal without prejudice is entered. The Clerk shall close the file.

IT IS SO ORDERED.

DATED: 1/15/08


JEREMY FOGEL
United States District Judge

1 A copy of this ruling was mailed to the following:

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3 James Cato, Jr.
H-35663/ 4A-7B-105L
4 California Correctional Institution
P.O. Box 1902
5 Tehachapi, CA 93581

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